



March 11, 2022

Hon Mary Kay Vyskocil
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 1007-1312

USDC SDNY
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Re: *Major League Baseball Properties, Inc. v. Corporación de Televisión y Microonda Rafa, S.A.*, Case No. 1:19-cv-08669 (MKV) (GWG)

Dear Judge Vyskocil:

This office represents Telemicro International Holding Corporation (“Telemicro”), a New York corporation. We have been provided a copy of the court order dated February 15, 2022, this Court has ordered that Ms. Rosario and TIHC appear for deposition within 21 days of this order. As such we have provided several dates and agreed to a deposition on March 22, 2022.

Rule 30(b)(4) of the Federal Rules of Civil Procedure, which provides: “The parties may stipulate—or the court may on motion order—that a deposition be taken by telephone or other remote means.” Trial courts in the Second Circuit are encouraging parties to stipulate to remote depositions to minimize the risks of COVID-19 exposure, with some courts ordering remote depositions as the default in pending cases. See, *Djurdjevich v. Flat Rate Movers, Ltd.*, No. 17-CV-261 (AJN) (BCM), 2020 U.S. Dist. LEXIS 82428 (S.D.N.Y. May 8, 2020).

Although MLB has accommodated other witnesses with a virtual deposition, we have asked for the same accommodation with Ms. Rosario and my office. Currently Kobre & Kim are not allowing for such arrangements. We are notifying the Court that we remained committed to comply with the Courts’ order and will be available for a virtual deposition. Thus, in light of Fed. R. Civ. P. Rule 30(b)(4) I am requesting the court enter an order that the depositions of Ms. Rosario of TIHC be taken by telephone or other remote means. See *Djurdjevich* at * 5-6 (for the duration of the COVID-19 national emergency all depositions in this action (unless specifically exempted by the Court) shall be taken via telephone, videoconference, or other remote means, and may be recorded by any reliable audio or audiovisual means.)

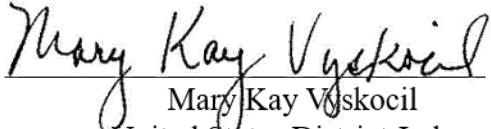
This office will work with counsel for judgment creditor to provide information that is available to our client and that is consistent with the requirements under Rule 69. To the extent that we feel such requests are overly broad and burdensome, we will let both the Court and counsel know our position.

Respectfully submitted,

s/Henry E. Marines
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**DENIED without prejudice. Telemicro does not explain the basis for its request for remote depositions in this case other than that other Courts have encouraged it in light of COVID. Should Telemicro wish to proceed with remote depositions, it must provide a specific explanation for why remote depositions are necessary in these circumstances.
SO ORDERED.**

Date: 3/14/2022
New York, New York


Mary Kay Vyskocil
United States District Judge